

9/28/87

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Monday, September 28, 1987 at 4:00 P.M.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

Also Present: Richard Ehlers, Town Attorney

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 4:00 on the 28th day of September, 1987, and do consent to the holding such meeting for the purpose of adopting several resolutions.

DATED: September 28, 1987

TOWN BOARD MEMBERS  
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
\_\_\_\_\_  
Supervisor

John Lombardi  
\_\_\_\_\_  
Councilman

Robert Pike  
\_\_\_\_\_  
Councilman

Victor Prusinowski  
\_\_\_\_\_  
Councilman

Louis Boschetti  
\_\_\_\_\_  
Councilman

FILED.

RESOLUTIONS

692 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING RE: REZONING MAP FOR THE SOUTHWEST SECTOR

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the rezoning map of the Southwest Sector.

9/28/87

RESOLUTIONS Continued:TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 8:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the rezoning map for the Southwest Sector as annexed hereto as "EXHIBIT A".

Dated: Riverhead, New York  
September 28, 1987.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

See See following page for map.

#693 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC  
HEARING RE: ADDITION OF ARTICLE XXXII "RESIDENCE A-4"  
TO THE RIVERHEAD TOWN CODE

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of Article XXXII "Residence A-4" to the Riverhead Town Code.

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the addition of Article XXXII "Residence A-4" to the Riverhead Town Code as follows.



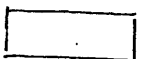
KEY:



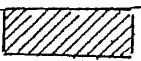
DEFENSE INSTITUTIONAL DISTRICT



OPEN SPACE CONSERVATION DISTRICT



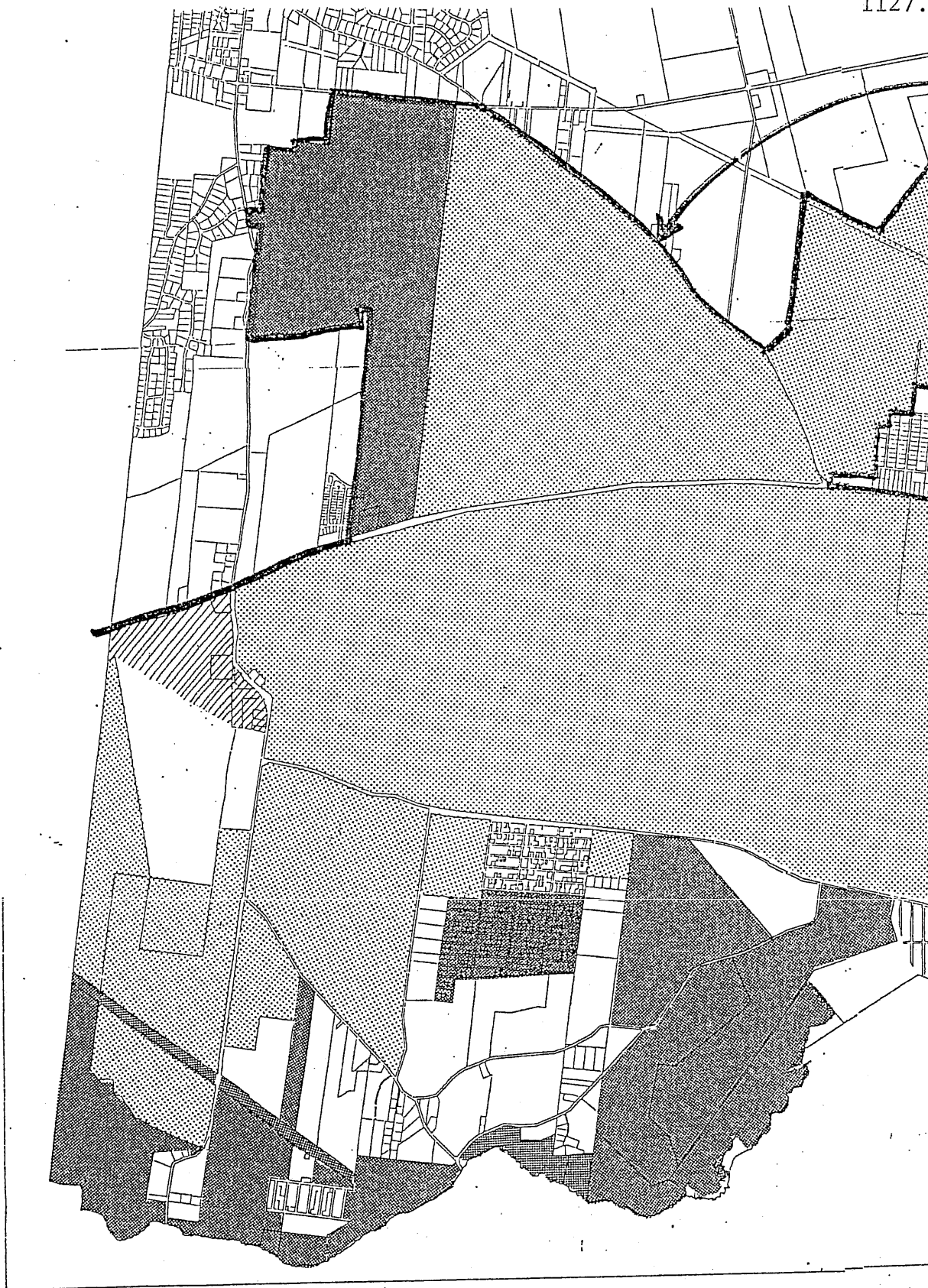
RESIDENCE "A-4" DISTRICT (160,000 #)



RESIDENCE "A" DISTRICT (40,000 #)

WEST SECTOR

E. M. 2003



NOT TO SCALE

50

RESOLUTIONS Continued:

## ARTICLE XXXII

## RESIDENCE A - 4 DISTRICT

108 - 153 Uses

In the Residence A-4 District, no building, structure, or premises, shall be used or arranged or designed to be used, and no building or structure shall hereafter be erected, reconstructed, or altered, unless otherwise provided in this Chapter, except for one (1) of the following permitted uses and its customary accessory uses.

## A. Permitted Uses

1. Agriculture, provided that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot lines, or within one hundred fifty (150) feet of any street lines.
2. One-family dwellings
3. Park and playground, noncommercial

## B. Accessory Uses

1. Private garages, private boathouses, private greenhouses, and similar accessory buildings for residences.
2. A temporary building or shed used during construction of a building or structure on the premises.
3. Swimming pool constructed in accordance with the provisions of Section 108 - 59 of this Chapter.
4. Boats, trailers, airplanes, or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in this residence district, nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer, or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

108 - 154 General Lot, Yard, and Height Requirements

- A. The minimum lot area shall be one hundred sixty thousand (160,000)

RESOLUTIONS Continued:

square feet, unless otherwise specified.

- B. The minimum lot width shall be two hundred (200) feet.
- C. The maximum building area shall be five (5) per cent.
- D. Minimum yards
  - 1. The minimum front yard depth shall be one hundred (100) feet.
  - 2. The minimum width of either side yard shall be fifty (50) feet.
  - 3. The minimum total width of both side yards shall be one hundred (100) feet.
  - 4. The minimum side yard width abutting a side street shall be one hundred (100) feet.
  - 5. The minimum rear yard depth shall be one hundred (100) feet.
- E. The maximum height of the structures shall be thirty-five (35) feet.

108. - 155 Accessory Buildings and Structures :

- A. Location.
  - 1. No accessory building or structure shall be erected, reconstructed, or altered so as to be situate as follows:
    - a. In a front yard.
    - b. In a side yard, unless the accessory building is sixty (60) feet from a side street line, thirty (30) feet from a property line, and ten (10) feet from any other building.
    - c. In a rear yard unless the accessory building is twenty (20) feet from a property line, ten (10) feet from any other building, and sixty (60) feet from a side street line and rear street line.
    - d. One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building, and forty (40) feet from a side street line and rear street line.
  - 2. Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot

RESOLUTIONS Continued:

must comply with Section 108 - 68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

- B. Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed, or altered in conformity to the requirements hereof for a main building.

108 - 156 Living Area

No dwelling shall be erected unless provisions shall be made therein as follows:

- A. For a single-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than one thousand two hundred (1,200) square feet of living area for the first story, but a maximum of three hundred (300) square feet of area of the second story may be used and applied to the area requirements for the first story.

Dated: Riverhead, New York  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boscetti, Yes, Pike, Yes, Prusinowski, Yes.  
Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

9/28/87

RESOLUTIONS Continued:

#694 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING RE: ADDITION OF ARTICLE XXX "DEFENSE INSTITUTIONAL DISTRICT" TO THE RIVERHEAD TOWN CODE

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of Article XXX "Defense Institutional District" to the Riverhead Town Code.

## TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the addition of Article XXX "Defense Institutional District" to the Riverhead Town Code as follows:

(See Following Pages)



RESOLUTIONS Continued:

## ARTICLE XXX

## DEFENSE INSTITUTIONAL DISTRICT

108 - 147 Purpose

It is the purpose of this Article to recognize the national and regional importance and institutional use of certain lands within the Town of Riverhead, while at the same time preventing any future subdivision of those lands which conflicts with the orderly growth and development of the Town.

108 - 148 Uses

In the Defense Institutional District, no building, structure, or premises shall be used, arranged, or designed to be used, and no structure shall hereafter be erected, reconstructed, or altered, unless otherwise provided in this Chapter, except for any two (2) of the following permitted uses, special permit uses, and accessory uses:

## A. Permitted Uses

1. Agriculture
2. National cemetery
3. Naval weapons testing facility

## B. Special Permit Uses

Approval is required of the Town Board for the special permit uses heretofore set forth:

1. Airport
2. Utility structures and/or utility rights-of-way

## C. Accessory Uses

The following accessory uses shall be permitted:

1. Assembly, production, processing, and testing of aircraft or other products related to naval weapons research
2. Buffer areas for naval weapons testing
3. Greenhouses, agricultural
4. Office buildings for businesses, governmental, and profes-

RESOLUTIONS Continued:

sional uses, including administrative training, data processing, publication, financial and sales offices, and related facilities in connection with such offices.

5. Offices or agencies for scientific or technical development, including laboratories, libraries, administrative training, data processing, publication, financial offices, and related facilities in connection with such uses, provided that:
  - a. No such process shall involve or permit upon the premises any virus or other type of infectious organisms identified with diseases of animals or humans;
  - b. No offensive gases, fumes, smoke, odors, dust, or effluent shall emanate from such use, and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.
6. Indoor and outdoor recreation facilities, public and quasi-public
7. Central heating and power plants accessory to the principal use for the service of all structures on the premises.
8. Fully-enclosed storage facilities incidental to the principal use.
9. Maintenance and utility shops incidental to the principal use.
10. Other customary accessory uses incidental to the principal use on the site.

108 - 149 Special Requirements

- A. Pursuant to Article XXVI of this Chapter, all permitted, special permit, and accessory uses shall require site plan approval.
- B. Off-street parking and loading shall conform to Section 108 - 60 and 108 - 61 of this Chapter.
- C. Signage shall conform to the provisions of Section 108 - 56 of this Chapter.
- D. All development in the Defense Institutional District shall conform to the screening and buffer requirements set forth in Section 108 - 64.1 of this Chapter.

Dated: Riverhead, New York  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

9/28/87

1134.

RESOLUTIONS Continued:

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes,

The resolution was thereupon declared duly adopted.

#695 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING RE: ADDITION OF ARTICLE XXXI "OPEN SPACE CONSERVATION DISTRICT" TO THE RIVERHEAD TOWN CODE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of Article XXXI "Open Space Conservation District" to the Riverhead Town Code.

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the addition of Article XXXI "Open Space Conservation District" to the Riverhead Town Code as follows:

(See following pages)

9/28/87

RESOLUTIONS Continued:

## ARTICLE XXXI

## OPEN SPACE CONSERVATION DISTRICT

108 - 150 Purpose

It is the purpose of the Open Space Conservation District to provide for the conservation and preservation of lands within the Town of Riverhead, whether in public or private ownership, which are open areas of significant environmental importance, and which are wholly exempt or have non-taxable status. The Town Board, in order to implement the provisions of the Town's Comprehensive Plan, shall determine the significance of parcels of open sapce, and thereby determine the inclusion of those parcels in the Open Space Conservation District.

108 - 151 Uses

In the Open Space Conservation District, no building, structure, or premises shall be used, arranged, or designed to be used, and no structure shall hereafter be erected, reconstructed, or altered, unless otherwise provided for in this Chapter, except for two (2) of the following special permit uses or accessory uses:

## A. Special permit uses.

All special permit uses set forth herein shall be subject to the approval of the Town Board, pursuant to the definition of site plans in Section 108 - 3 of this Chapter. Special permit uses are as follows:

1. Those structures which are considered customary to the prevailing use. This shall include, but not be limited to, golf clubhouses, tennis clubhouses, bath houses, park administration buildings, camp houses, maintenance buildings, utility shops, central heating and power plants, and fully-enclosed storage facilities.

08 - 152 Special Requirements

- A. Pursuant to Article XXVI of this Chapter, all uses shall require site plan approval.
- B. Signage shall conform to the provisions of Section 108 - 56 of

9/28/87

1136.

RESOLUTIONS Continued:

this Chapter.

- C. All development in the Open Space Conservation District shall conform to the screening and buffer requirements set forth in Section 108 - 64.1 of this Chapter.

Dated: Riverhead, New York  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#696 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC  
HEARING RE: ADDITION OF DEFINITIONS TO SECTION 108-3 OF  
THE RIVERHEAD TOWN CODE

Councilman Boschetti offered the following resolution, which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of definitions to Section 108-3 of the Riverhead Town Code.

Town of Riverhead

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 8:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the addition of definitions to Section 108-3 of the Riverhead Town Code as follows:

§108-3. Definitions.

GREENHOUSE, AGRICULTURAL - A structure utilized for seed germination, plant propagation, hardening-off or forcing or maintenance of a controlled climate to sustain plant growth otherwise not possible in natural out-of-door surroundings. The retail or wholesale sales of such products raised on-

9/28/87

RESOLUTIONS Continued:

premises is permitted, except that sale of live or fresh products not raised or products on-premises shall not be permitted. The sale of other products produced or otherwise prepared or manufactured off-premises shall be prohibited.

GREENHOUSE, COMMERCIAL - A structure utilized for seed germination, plant propagation, hardening-off or forcing or maintenance of a controlled climate to sustain plant growth otherwise not possible in natural out-of-door surrounding. The retail or wholesale sale of such products raised on-premises is permitted, as is the sale of such live or fresh products not raised or produced on the premises. The sale of other products produced or otherwise prepared or manufactured off-premises shall be permitted only if such products are related to agriculture or horticulture.

GREENHOUSE, PRIVATE - An accessory building or structure subordinate to a dwelling, not exceeding five hundred (500) square feet in area, intended and used solely for the private enjoyment of the residents thereof.

Dated: Riverhead, New York  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes,  
The resolution was thereupon declared duly adopted.

(Resolutions #697, #698, #699, See Scavenger Waste  
& Sewer Minutes)

#700 NOTICE OF PUBLIC HEARING PURSUANT TO EMINENT DOMAIN  
PROCEDURE LAW 9629 OSBORNE AVENUE

Councilman Pike offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, pursuant to Eminent Domain Procedure Law, a public hearing will be held on the 20th day of October, 1987, at 7:45 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons as to the condemnation by the Town of Riverhead of premises known at Suffolk County Tax Map ID N. 0600-123-3-33, bounded on the North by Haskins and on the East by Osborne Avenue, owned by Eileen Brush; and be it further

RESOLUTIONS Continued:

RESOLVED, that the Town Clerk be and is hereby authorized to publish this resolution in its entirety in five (5) consecutive issues of Newsday, a newspaper having general circulation in the Town of Riverhead, and in two (2) consecutive issues of the Riverhead News-Review, the official newspaper of the Town of Riverhead, which is published weekly.

Dated: Riverhead, New York.  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Irene J. Pendzick, Town Clerk

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#701 ACCEPTS RESIGATION OF SECRETARY TO SUPERVISOR

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, Karen Pfister did submit a letter of resignation from her position of Secretary to the Supervisor.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Karen Pfister be and is hereby accepted effective September 28, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Office of Accounting.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#702 TRANSFERS ALLEN SMITH TO THE POSITION OF MAINTENANCE MECHANIC II

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, the availability of the position of Maintenance Mechanic II with the Buildings & Grounds Crew was posted and advertised, and

WHEREAS, Allen Smith did request a transfer to this position.

NOW, THEREFORE, BE IT RESOLVED, that Allen Smith be and is hereby appointed to the position of Maintenance Mechanic II with the Buildings & Grounds Crew at the annual rate of compensation of \$19,283.56 as set forth in Group 7, Step 3 of the Operational & Technical CSEA Salary Schedule effective October 19, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Allen Smith, Lawyer Jackson and the Office of Accounting.

9/28/87

1139.

RESOLUTIONS Continued:

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#703 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

WHEREAS, due to the transfer of Allen Smith, Jr. to the position of Maintenance Mechanic II, a vacancy now exists in the position of Custodial Worker.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Help Wanted Ad for Custodial Worker as Display Ad in the October 1, 1987 issue of the News Review.

TOWN OF RIVERHEAD  
HELP WANTED  
Custodial Worker

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Custodial Worker I with Riverhead Town Hall. Applicants should be in good physical condition and possess a valid New York State Driver's License. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after October 8, 1987. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment or the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Irene J. Pendzick, Town Clerk

Dated: September 28, 1987  
Riverhead, New York

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#704 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD

Councilman Lombardi offered the following resolution, which was seconded by Councilman Prusinowski.



9/28/87

RESOLUTIONS Continued:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Help Wanted Ad for School Crossing Guard as Display Ad in the October 1, 1987 issue of The News-Review.

TOWN OF RIVERHEAD  
HELP WANTED  
School Crossing Guard

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Custodial Worker I with Riverhead Town Hall. Applicants should be in good physical condition. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after October 8, 1987. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment or the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BD.

Irene J. Pendzick, Town Clerk

Dated: September 28, 1987  
Riverhead, New York

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#705 ORDERS RESTORATION OF WETLANDS (STEVENOT & TUFANO PROPERTY)

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, the Conservation Advisory Council, by memo dated June 16, 1987, has advised the Town Board of violations of Chapter 107 of the Riverhead Town Code, tax map identification number 0600-119-1-37; and

WHEREAS, Section 107-9 provides that the Town Board shall serve notice when a violation of Chapter 107 has been determined.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby serves notice of violation pursuant to Section 107-9 of the Riverhead Town Code entitled, "Wetlands, Floodplains and Drainage" upon Robert A. Stevenot and William J. Tufano, as owners of the above-mentioned property (a copy of the deed to said property is annexed hereto) and that the owners have caused a violation of Chapter 107 by bulldozing a freshwater wetland; and be it further

9/28/87

RESOLUTIONS Continued:

RESOLVED, that the owners must, within 30 days from the date hereof, submit a plan prepared by a licensed professional detailing the restoration of the wetland, which plan must be filed with the Riverhead Conservation Council; and be it further

RESOLVED, that the restoration, as provided in the plan as approved by the Conservation Advisory Council, must be completed within two (2) months of the date hereof; and be it further

RESOLVED, that in the event such plan is not submitted or the work completed within the time periods specified herein, the owners may be determined liable pursuant to Section 107-9C, which states: "Any person, firm, corporation or entity who shall continue such violation beyond the time limit specified by the Town Board shall be guilty of another offense and shall, upon conviction thereof, be fined in an amount not to exceed one thousand dollars (\$1,000.) for each offense or imprisoned thirty (30) days, or both.", and Section 107-9D, which states: "Each day of such violation shall constitute a separate offense under this chapter", and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to cause a certified copy of this resolution to be personally served upon Robert A. Stevenot, Jacob's Place, Aquebogue, New York, and William J. Tufano, 35 Ryder Avenue, Dix Hills, New York, and the Conservation Advisory Council.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

(Resolutions #706-713, See Water District Minutes)

#714 APPOINTS SCHOOL CROSSING GUARD

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that Emilio Iannone be and is hereby appointed as a school crossing guard with the Town of Riverhead effective September 29, 1987, at the hourly compensation of \$5.85 per hour; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Emilio Iannone and the Riverhead Police Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#715 ACCEPTS BOND AND LETTER OF CREDIT OF HALLOCK LUCE IV

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

9/28/87

RESOLUTIONS Continued:

WHEREAS, the Riverhead Planning Board, by resolution dated September 17, 1987, approved the subdivision map of "Hallock-Luce IV", subject to the posting of a bond in the amount of forty-four thousand and 00/100 (\$44,000.00) dollars covering the cost of improvements and fourteen thousand and 00/100 (\$14,000.00) dollars representing two thousand and 00/100 (\$2,000.00) per lot fee for park and recreation fees required by said resolution; and

WHEREAS, a bond and the letter of credit securing said bond have been forwarded to the office of the Town Attorney who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Riverhead Planning Board, the Town Board of the Town of Riverhead does hereby accept the bond of Hallock Luce IV, secured by a Letter of Credit from the Suffolk County National Bank, covering the improvements directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hallock Luce IV and the Riverhead Planning Board.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#716 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING ON A LOCAL LAW PROVIDING FOR A TEMPORARY MORATORIUM ON DEVELOPMENT IN THE AGRICULTURAL RESOURCE & OPEN SPACE AREA IN THE TOWN OF RIVERHEAD IN ORDER TO PERMIT EFFECTIVE AN ORDERLY COMPLETION AND IMPLEMENTATION OF A REVISED TOWN MASTER PLAN COMPONENT FOR THE PRESERVATION OF FARMLAND

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Lombardi.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be before the Town Board of the Town of Riverhad, Tuesday, October 13, 1987, at 7:30 p.m. or as soon thereafter as this matter may be heard, in the meeting room, Town Hall, Howell Avenue, Riverhead, New York, to hear all persons for and against a local law providing for a moratorium on lands (other than the Southwest Quadrant and the hamlets of Wading River and Riverhead ) for which master planning has been undertaken by the Riverhead Town Board the Riverhead Town Planning Board and the Riverhead Town Planning Department as follows:

C. Title of Local Law # of 1987

9/28/87

RESOLUTIONS Continued:

A LOCAL LAW PROVIDING FOR A TEMPORARY MORATORIUM ON DEVELOPMENT IN THE AGRICULTURAL RESOURCE & OPEN SPACE STUDY AREA IN THE TOWN OF RIVERHEAD IN ORDER TO PERMIT EFFECTIVE AND ORDERLY COMPLETION AND IMPLEMENTATION OF A REVISED TOWN MASTER PLAN COMPONENT FOR THE PRESERVATION OF FARMLAND

BE IT ENACTED by the Town of Riverhead as follows:

D. Section 1. Legislative Findings

A. The Town Board finds that the Town's Comprehensive Plan, prepared by McKloskey and Reuter in 1973, is currently the subject of revision. In January 1987, this Board was presented by its consultants Holzmacher, McLendon and Murrell with "Recommendations Regarding the Preservation of Farmland in the Town of Riverhead", accompanied by legislation, "Legislation for the Preservation of Farmland in the Town of Riverhead" most recently dated September 28, 1987, on file with the Town Clerk, 200 Howell Avenue, Riverhead, New York, drafted by the Riverhead Town Agricultural Committee of which Town Board Members Vic Prusinowski and Robert D. Pike, and Town Planner Richard Hanley are chairman and members respectively,

B. The Town Board further finds that this plan and legislation call for the adoption of a number of innovative farmland protection devices including but not limited to:

1. The establishment of an Agricultural Resource Conservation Overlay district, hereinafter "ARCO".

2. A Three-tiered zoning district structure (Farm Preservation Zone, Farm Neighborhood Zone, and Farm (Village Zone) providing a gradient of ultimate development density from low density in farmable open space to relatively high density in hamlet developments,

3. A Farmers' Bill of Rights providing a system of mandatory notice of Protected Farm Practices to neighbors and potential owners of farm zoned property in the ARCO,

4. Mandatory Farmland Development and Subdivision guidelines,

5. The establishment of a formal system for the Transfer of Development Rights within the Town of Riverhead.

C. The Board further finds that this plan and the many alternatives to it suggested at the SEQUA scoping hearing have been given a positive declaration under the State Environmental Quality Review Act and are currently being analyzed in the preparation of a draft generic environmental impact statement by David Emilita of RIA Associates.

RESOLUTIONS Continued:

D. The Town Board further finds that there are over 1,000 acres of farmland currently under sketch plan or preliminary approval pending before the local Town Planning Board and the ARCO.

E. The Town Board further finds that it established a moratorium on the subdivision of farmland during this planning period which will expire November 2, 1987, and that the timing of the draft environmental impact statement in full compliance with the State Environmental Quality Review Act does not provide enough time for legislation on this comprehensive scale to be enacted before that moratorium expires.

F. The Town Board further finds that, with the comprehensive nature of the plan and its alternatives, full S.E.Q.R.A. compliance and equity analysis is desirable, and that nothing should be allowed to preclude full analysis, review and constructive improvement before final adoption.

G. Further the Town Board finds that Municipal Home Rule Law section 10(1) (ii) (a) (14) and section 10 (1) (ii) (d) (3), Statute of Local Governments Section 10 (6) and Article IX (2) (b) (3) of the State Constitution vest in the Town Board the authority to adopt Local Law regarding the review and approval of development applications extraordinary volume of such applications and other local conditions, hereinabove described, warrant such modification and supersession.

E. Section 2. Moratorium on Subdivisions and Developments

Unless specifically provided for herein, or specifically exempted from the provisions of this local law, no agency, board or department of the Town of Riverhead shall accept any application or grant any approval for, or authorize any action for, or by inaction allow to occur, any subdivision of land, residential condominium development or site plan approval on land within the Study Area.

All mandatory time periods under the Town Law are tolled for the effective period of this local law.

F. Section 3. Study Area Map

The revised map prepared by H2M, dated September 30, 1987 shall define the Study Area, which shall be the area covered by this moratorium. This shall include, but not be limited to, the entire Agricultural Resource Conservation Overlay District (hereinafter "ARCO"), the Resort Development District, and The Hamlet Redevelopment District. Such map is on file with the Town Clerk, 200 Howell Avenue, Riverhead, New York.

RESOLUTIONS Continued:

Specifically exempted from the Study Area and this moratorium are the Southwest Quadrant shown upon that map. The Hamlet of Wading River, the portion of the Hamlet of Riverhead which is not within the either the ARCO or the Hamlet Redevelopment District, the C.R. zones in the Hamlets of Aquebogue and Wading River.

#### G. Exemptions

The following approvals or permits are excepted, and exempt from the moratorium.

1. The provisions this local law shall not apply to any application made pursuant to the provisions of the town code to

- a) build a single family residence on an existing lot or
- b) reconstruct, alter, expand, restore or repair any

existing buildings or structures, provided that the total gross floor area and total coverage of any such building or structure is not to be increased by more than twenty five percent (25%) as a result of the activity for which the application seeks approval.

2. The provisions of this local law shall not apply to any subdivision application which has received preliminary plot approval by vote of the Planning Board before September 25, 1987, provided, however, that all such subdivisions shall be required to comply with the provisions of the Interim Plan regarding the Farmers' Bill of Rights.

3. The provisions of this local law shall not apply to any existing application for a TDR Receiving project utilizing the transfer or surrender of development rights which has completed SEQUA compliance as of September 25, 1987.

4. Affordable Housing or Senior Citizen Projects-This local law shall not apply to projects to provide housing for low and moderate income residents of the Town, or senior citizens as determined by applicable law of the Town, where such projects are undertaken directly by the Town Board of the Town of Riverhead, or another Town agency or authority acting with the approval of the Town Board and on its behalf.

5. This Local Law shall not apply to any applications for which a special permit or site plan approval has been granted by the Riverhead Town Board.

#### 6. Exemption applications

a. The Town Board may by resolution passed by a four vote majority, authorize any individual, board or body affected by this local law to grant a permit, approval or authorization prohibited hereunder, provided:

(1) The owner of the affected land petitions the Town Board to grant such relief;

(2) A written recommendation that the relief be granted is forwarded to the Town Board from each individual, board or body from whom permission or approval is sought;

(3) The Town Board has held a public hearing on the petition upon at least ten (10) days notice published in the official newspaper of the Town.

RESOLUTIONS Continued:

b. Notwithstanding compliance with each of the provisions of the preceding subsection (5) hereof, no petition for relief from an owner of property affected by this local law shall be granted unless the Town Board finds:

(1) Granting of the permit, approval or authorization sought would have no adverse impact upon any of the goals of the Town sought to be furthered by this local law;

(2) The project or activity for which approval is sought would be in harmony with the existing character of the Town, and its consideration and approval would not worsen the conditions found to exist by the Town Board in Section 1 hereof;

(3) The project or activity for which approval is sought is consistent with any interim data, studies or findings then available from the Master Plan update in progress.

H. Section 5. Construction

The provisions of this local law shall be strictly construed.

I. Section 6. Validity

The invalidity of any section or provision of the local law shall not invalidate the local law as a whole or any other section or provision thereon.

J. Section 7. Effective date.

This local law shall take effect upon the filing thereof in the office of the Secretary of State as provided for in the Municipal Home Rule Law.

K. Section 8. Duration

This Local Law shall remain in effect until 1) the formal adoption of a Plan for the Preservation of Farmland in Riverhead and the effective date of Legislation enacted to enforce that plan, or 2) the expiration of Six Months, whichever shall first occur.

Dated: September 28, 1987

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD, NEW YORK,

IRENE J. PENDZICK, TOWN CLERK

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

9/28/87

RESOLUTIONS Continued:

A.

- #717 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING ON A LOCAL LAW PROVIDING FOR A TEMPORARY MORATORIUM ON DEVELOPMENT IN THE AGRICULTURAL RESOURCE & OPEN SPACE STUDY AREA, A LIMITED SUSPENSION OF THE AUTHORITY TO GRANT APPROVALS, AUTHORIZATIONS AND SITE APPROVALS RELATED TO THE DEVELOPMENT SUBDIVISION OF THE LAND IN THE TOWN OF RIVERHEAD IN ORDER TO PERMIT EFFECTIVE AN ORDERLY COMPLETION AND IMPLEMENTATION OF A REVISED TOWN MASTER PLAN COMPONENT FOR THE PRESERVATION OF OF FARMLAND

Councilman Pike offered the following resolution which was seconded by Councilman Lombardi.

## III. Plan Compliance Moratorium

B. Notice of Hearing

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be before the Town Board of the Town of Riverhead, Tuesday, October 13, 1987, at 7:30 P.M. or as soon thereafter as this matter may be heard, in the meeting room, Town Hall, Howell Avenue, Riverhead, New York, to hear all persons for and against a local law providing for a moratorium on lands (other than the Southwest Quadrant and the hamlets of Wading River and Riverhead) for which master planning has been undertaken by the Riverhead Town Board the Riverhead Town Planning Board and the Riverhead Town Planning Department and to provide a procedure for acceptance, processing and approvals of permits, subdivision and site development of plans which comply with the Interim Plan as follows:

C. Title of Local Law # of 1987

LOCAL LAW # 1987

A LOCAL LAW PROVIDING FOR A TEMPORARY MORATORIUM ON DEVELOPMENT IN THE AGRICULTURAL RESOURCE & OPEN SPACE STUDY AREA, A LIMITED SUSPENSION OF THE AUTHORITY TO GRANT APPROVALS, AUTHORIZATIONS AND SITE APPROVALS RELATED TO THE DEVELOPMENT AND SUBDIVISION OF THE LAND IN THE TOWN OF RIVERHEAD IN ORDER TO PERMIT EFFECTIVE AN ORDERLY COMPLETION AND IMPLEMENTATION OF A REVISED TOWN MASTER PLAN COMPONENT FOR THE PRESERVATION OF FARMLAND

BE IT ENACTED by the Town of Riveread as follows:

## D. Section 1. Legislative Findings.

A. The Town Board finds that the Town's Comprehensive Plan, prepared by McKloskey and Reuter in 1973, is currently the subject of revision. In January 1987, this Board was presented by its consultants Holzmacher, McLendon and Murrell with "recommendations



RESOLUTIONS Continued:

Regarding the Preservation of Farmland in the Town of Riverhead", accompanied by legislation, "Legislation for the Preservation of Farmland in the Town of Riverhead: most recently dated September 28, 1987, on file with the Town Clerk, 200 Howell Avenue, Riverhead, New York, drafted by the Riverhead Town Agricultural Committee of which Town Board Members Vic Prusinowski and Robert D. Pike, and Town Planner Richard Hanley are chairman and members respectively,

B. The Town Board further finds that this plan and legislation call for the adoption of a number of innovative farmland protection devices including but not limited to:

1. The establishment of an Agricultural Resource Conservation Overlay district, hereinafter "ARCO".

2. A Three-tiered zoning district structure (Farm Preservation Zone, Farm Neighborhood Zone, and Farm Village Zone) providing a gradient of ultimate development density from low density in farm-able open space to relatively high density in hamlet developments,

3. A Farmers' Bill of Rights providing a system of mandatory notice of Protected Farm Practices to neighbors and potential owners of farm zoned property in the ARCO,

4. Mandatory Farmlot Development and Subdivision guidelines,

5. The establishment of a formal system for the Transfer of Development Rights within the Town of Riverhead.

C. The Board further finds that this plan and the many alternatives to it suggested at the SEQUA scoping hearing have been given a positive declaration under the State Environmental Quality Review Act and are currently being analyzed in the preparation of a draft generic environmental impact statement by David Emilita of RIA Associates.

D. The Town Board further finds that there are over 1,000 acres of farmland currently under sketch plan or preliminary approval pending before the local Town Planning Board and the ARCO.

E. The Town Board further finds that it established a moratorium on the subdivision of farmland during this planning period which will expire November 2, 1987, and that the timing of the draft environmental impact statement in full compliance with the State Environmental Quality Review Act does not provide enough time for legislation on this comprehensive scale to be enacted before that moratorium expires.

F. The Town Board further finds that, with the comprehensive nature of the plan and its alternatives, full S.E.Q.R.A. compliance and equity analysis is desirable, and that nothing should be allowed to preclude full analysis, review and constructive improvements before final adoption.

9/18/87

RESOLUTIONS Continued:

G. Further the Town Board finds that Municipal Home Rule Law section 10 (1) (ii) (a) (14) and section 10 (1) (ii) (d) (3), Statute of Local Governments Section 10 (6) and Article IX (2) (b) (3) of the State Constitution vest in the Town Board the authority to adopt Local Laws which modify and supersede the provisions of the Town Law regarding the review and approval of development applications where the Town Board finds, as this Board does now find, that the extraordinary volume of such applications and other local conditions, hereinabove described, warrant such modification and supersession.

E. Section 2. Moratorium on Subdivisions and Developments

Unless specifically provided for herein, or specifically exempted from the provisions of this local law, no agency, board or department of the Town of Riverhead shall accept any application or grant any approval for, or authorize any action for, or by inaction allow to occur, any subdivision of land, residential condominium development, or site plan approval on land within the Study Area.

All mandatory time periods under the Town Law are tolled for the effective period of this local law.

F. Section 3. Study Area Map.

The revised map prepared by H2M, dated September 30, 1987, shall define the Study Area, which shall be the area covered by this moratorium. This shall include, but not be limited to, the entire Agricultural Resource Conservation Overlay District (hereinafter "ARCO"), the Resort Development District, and the Hamlet Redevelopment District. Such map is on the file with the Town Clerk, 200 Howell Avenue, Riverhead, New York.

Specifically exempted from the Study Area and this moratorium are the Southwest Quadrant shown upon that map, The Hamlet of Wading River, the portion of the Hamlet of Riverhead which is not within the either the ARCO or the Hamlet Redevelopment District, the C.R. zones in the Hamlets of Aquebogue and Wading River.

G. Section 4. Plan Compliant Developments and Subdivisions Exempted

Agencies, Boards and Departments of the Town shall be empowered to review applications for approval of subdivisions and developments that completely comply with the Interim Plan for the Farmland and are allowed uses under the existing zoning.

All applications which seek to proceed under this exemption shall be filed with the Planning Department for a Determination of Interim Plan Compliance.

9/28/87

RESOLUTIONS Continued:

## H. Section 5. Other Exemptions

The following approvals or permits are excepted, and exempt from the moratorium.

1. The provisions this local law shall not apply to any application made pursuant to the provisions of the town code to

a) build a single family residence on an existing lot or  
b) reconstruct, alter, expand, restore or repair any existing buildings or structures, provided that the total gross floor area and total coverage of any such building or structure is not to be increased by more than twenty five percent (25%) as a result of the activity for which the application seeks approval.

2. The provisions of this local law shall not apply to any subdivision application which has received preliminary plot approval by vote of the Planning Board before September 25, 1987, provided, however, that all such subdivisions shall be required to comply with the provisions of the Interim Plan regarding the Farmers' Bill of Rights.

3. The provisions of this local law shall not apply to any existing application for a TDR Receiving project utilizing the transfer or surrender of development rights which has completed SEQUA compliance as of September 25, 1987.

4. Affordable Housing or Senior Citizen Projects-This local law shall not apply to projects to provide housing for low and moderate income residents of the Town, or senior citizens as determined by applicable law of the Town, where such projects are undertaken directly by the Town Board of the Town of Riverhead, or another Town agency or authority acting with the approval of the Town Board and on its behalf.

5. This Local Law shall not apply to any applications for which a special permit or site plan approval has been granted by the Riverhead Town Board..

6. Exemption applications

a. The Town Board may by resolution passed by a four vote majority, authorize any individual, board or body affected by this local law to grant a permit, approval or authorization prohibited hereunder, provided:

(1) The owner of the affected land petitions the Town Board to grant such relief;

(2) A written recommendation that the relief be granted is forwarded to the Town Board from each individual, board or body from whom permission or approval is sought;

(3) The Town Board has held a public hearing on the petition upon at least ten (10) days notice published in the official newspaper of the Town.

b. Notwithstanding compliance with each of the provisions of the preceding subsection (5) hereof, no petition for relief from an owner of property affected by this local law shall be granted unless the Town Board finds:

RESOLUTIONS Continued:

(1) Granting of the permit, approval or authorization sought would have no adverse impact upon any of the goals of the Town sought to be furthered by this local law;

(2) The project or activity for which approval is sought would be in harmony with the existing character of the Town, and its consideration and approval would not worsen the conditions found to exist by the Town Board in Section 1 hereof;

(3) The project for activity for which approval is sought is consistent with any interim data, studies or findings then available from the Master Plan update in progress.

I. Section 6. The Interim Plan in the Study Area

Applications for subdivision or development shall strictly comply with the following,

1. The establishment of an Agricultural Resource Conservation Overlay district, hereinafter "ARCO", as described on the study area map, prepared by H2M, dated September 30, 1987.

2. The provisions of the proposed Three-tiered Zoning district; Farm Preservation Zone, Farm Neighborhood Zone, and Farm Village Zone as located on the study area map, utilizing the September 28, 1987 versions of each zone; providing a gradient of ultimate development density from low density in farmable open space to relatively high density in hamlet developments,

3. The Farmers' Bill of Rights (September 28, 1987 version) in all three farm zones shown in the study area map, the ARCO and all existing Agricultural A zones, whichever is most inclusive.

4. Mandatory Farmlot Development and Subdivision guidelines (September 28, 1987 version\_)

5. The Local Law for the Transfer of Development Rights within the Town of Riverhead (September 28, 1987 version) or, as an option where all of the development rights are being transferred out, the procedure followed in the Entenmann project, as approved by this Town Board (provided, however, that Development Rights are transferred out of the Sending Parcel .8 units per acre, and the receiving parcel density is in compliance with the Interim Plan,)

For the Interim Plan, No TDR Receiving site in the Resort development district shown in the Study Area Map can be developed at densities greater than 2 units per acre. Further all TDR receiving projects shall be considered Type I actions requiring a full environmental impact statement under SEQUA.

J. Section 7. Planning Department - Determination of Compliance

RESOLUTIONS Continued:

The Planning Department shall review all applications first, and determine whether or not the application specifically complies with the Interim Plan, and shall issue a Determination of Plan Compliance if it does. The Determination of Plan Compliance must be signed by the highest ranking (under The Civil Service law) employee of the Planning Department. The application may then proceed.

If the application does not comply, a letter listing the specific points of noncompliance shall be issued to the applicant who shall then be allowed to bring the plan into compliance, or to withdraw the application.

No application may be considered, set for hearings or approved unless and until a Determination of Plan Compliance has been issued by the Planning Department.

K. Section 8. Construction

The provisions of this local law shall be strictly construed.

L. Section 9. Validity

The invalidity of any section or provision of this local law shall not invalidate the local law as a whole or any other section or provision thereof.

M. Section 10. Effective Date

This Local law shall take effect upon the filing thereof in the office of the Secretary of State as provided for in the Municipal Home Rule Law.

N. Section 11. Duration

This Local Law shall remain in effect until 1) the formal adoption of a Plan for the Preservation of Farmland in Riverhead and the effective date of Legislation enacted to enforce that plan, or 2) the expiration of Six Months, whichever shall first occur.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#717A APPOINTS MEMBER TO AFFORDABLE HOUSING TASK FORCE

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Pike.

RESOLUTIONS Continued:

BE IT RESOLVED, that Sharon Wendelken be and is hereby appointed to membership with the Affordable Housing Task Force, and,

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Sharon Wendelken.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#718 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE OF PUBLIC HEARING ON LOCAL LAW # \_\_\_\_\_ OF 1987 EXTENDING THE MORATORIUM IN THE BUSINESS C & BUSINESS CR ZONING USE CLASSIFICATION DISTRICT IN THE HAMLET OF WADING RIVER

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a notice of public hearing regarding Local Law # \_\_\_\_\_ of 1987 extending the moratorium in the Business C and Business CR Zoning use classification districts in the Hamlet of Wading River.

TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 13th day of October, 1987, at 8:15 P.M. to hear all interested persons with regard to extending the moratorium in the Business C and Business CR Zoning Use Classification Districts in the Hamlet of Wading River as more fully detailed on the map annexed hereto as "EXHIBIT A".

Section 1. No person shall make application to the Town of Riverhead for construction of improvements within the Business CR zone as shown in the attached EXHIBIT A until six (6) months from the date hereof to allow for the completion of the Hamlet Study covering Wading River.

Section 2. This Local Law shall take effect upon filing with the Secretary of State.

Dated: Riverhead, New York  
September 28, 1987

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#019 AUTHORIZES NEGATIVE DECLARATION ON INDUSTRIAL SUBDIVISION  
(DIMARTINO)

Councilman Prusinowski offered to remove the above resolution from the Table, which was seconded by Councilman Pike.

WHEREAS, the Riverhead Town Board has declared itself lead agency in the matter of the subdivision of industrial land by W.R. Rayson Co., Inc., such land located on the south side of County Route 58, and

WHEREAS, an Environmental Assessment Form (EAF) has been completed by the applicant and forwarded to the lead agency, and

WHEREAS, a review of the EAF indicates the existence of a freshwater wetland on the site, and

WHEREAS, the New York State Department of Environmental Conservation and the Riverhead Conservation Advisory Council have made recommendations on the layout of the subdivision which would mitigate impacts on the existing wetland, and

WHEREAS, the revised subdivision sketch plan submitted by Rayson Co., Inc. to the Riverhead Planning Board successfully addresses the recommendations of the New York State Department of Environmental Conservation, the Riverhead Conservation Advisory Council, and the Riverhead Planning Department;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, as lead agency, after careful consideration of all environmental findings and recommended mitigation measures associated with this matter, issues a Notice of Determination of Non-Significance pursuant to Part 617 of Article 8 of the Environmental Conservation Law, which would be conditioned by the following:

(i) That no construction take place within 100 ft. of the existing wetland as staked by the New York State DEC;

(ii) That no stormwater runoff be directly discharged into a freshwater wetland;

(iii) That all contemplated uses within the future subdivision considered to be "dry" as defined by the Suffolk County Department of Health and that covenants and restrictions required under Article 7 of the Suffolk County Sanitary Code be required;

\*(iv) That within an area measured 500 feet from the designated wetland, only 50 percent of the total area may be disturbed.

(v) That the project site will be serviced by public water for water supply and fire protection.

A discussion followed with Councilman Pike discussing the Tiger Salamander and the protection of his habitat. A lengthy discussion followed.

The vote to amend the above resolution with new additions to the resolution was voted upon.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes. and Janoski, Yes.

The resolution was therefore duly declared adopted with the new additions.

9/28/87

1155.

RESOLUTIONS Continued:

#919 AUTHORIZES NEGATIVE DECLARATION ON INDUSTRIAL SUBDIVISION  
(DIMARTINO)

Councilman Pike offered the following resolution with the new additions to be added to it, and Councilman Prusinowski seconded it.

\*iv) That within an area measured 500 feet from the designated wetland, only 50 percent of the total area may be disturbed; in order to protect the tiger salamander habitat.

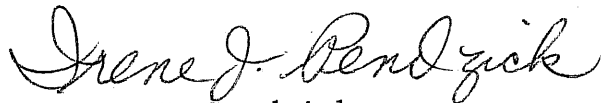
(vi) We urge the applicants to contact the Natural Heritage Society.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 5:01 P.M.

IJP:bg



Irene J. Pendzick  
Town Clerk